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CRIME PREVENTION AND CRIMINAL JUSTICE

INTERNATIONAL DRUG CONTROL

Letter dated 17 November 1995 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 16 November 1995, addressed to you by His Excellency Mr. Osman Ertuğ, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda items 106 and 108.

(Signed) Hüseyin E. ÇELEM
Permanent Representative

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ANNEX

Letter dated 16 November 1995 from H.E. Mr. Osman Ertug addressed to the Secretary-General

I have the honour to refer to the statement made by the Greek Cypriot delegate at the meeting of the Third Committee held on 30 October 1995, under agenda items 106 (Crime Prevention and Criminal Justice) and 108 (International Drug Control). The statement contains allegations which are totally unfounded and contradictory to the realities of Cyprus. In view of the absence of any Turkish Cypriot delegate at the said meeting, owing to the usurpation and continued monopolization of the title of "Government of Cyprus" by the Greek Cypriot side since 1963, I am compelled to respond to these allegations in writing in order to set the record straight.

In his statement, the Greek Cypriot delegate glosses over the fact that it is the Greek Cypriot side which is responsible for the division of the island, by describing the legitimate military presence of a guarantor power as an "occupation". In fact, the only occupation in the island is the 32-year-old occupation of the seat of government of the then bicommunal Republic of Cyprus by the Greek Cypriot side.

As regards transnational crime and drug trafficking, recent international press coverage of the area leaves no room for doubt as to which part of Cyprus not only serves as a centre for arms smuggling, drug trafficking, money-laundering and other criminal activity, but also flagrantly violates United Nations sanctions. The New York Times of 15 June 1995, The Washington Times of 20 May and 20 June 1995, the Daily Mail of 15 August 1995, and L'Express of 6 April 1995 extensively reported on such illicit activity in the Greek Cypriot-administered southern Cyprus, even linking it directly to some Greek Cypriot officials. In The New York Times article of 15 June 1995, for instance, under the heading "Cyprus Shores Wash Dirty Money", it is reported that "... senior Cypriot politicians and executives have even used their business as fronts for Serbian companies seeking to break the sanctions on Yugoslavia". Similarly, in the Daily Mail of 15 August 1995, in an article entitled "Trail of Deceit That Dodges Arms Ban", it is reported that a certain country's "officials have named senior lawyers and politicians among those involved" in illicit activity in southern Cyprus. The article in L'Express of 6 April 1995, under the headline "Cyprus: Any Form of Service", provides an elaborate account of drug trafficking, arms smuggling, and "dirty money" from another country, also implicating Greek Cypriot officials.

The above-mentioned Washington Times article of 20 June 1995 mentions "growing concerns about the activities of some of the 19,000 companies registered to do business in Cyprus. United States officials believe a number of those firms are engaged in money-laundering and similar operations involving mysterious businessmen ...", while the article in L'Express reports "we are at the border-line of the Middle East. There are numerous traffickers using the island as a logistic base at the crossroads of Europe and the Middle East".

In the face of this overwhelming evidence of rampant illegality in southern Cyprus, the Greek Cypriot administration would do well to concentrate its efforts on cleaning its own house rather than directing false accusations at others. Relevant in this context are the widespread cases of torture and police brutality by the Greek Cypriot police which have called into question the whole criminal justice system in the south. The 1994 human rights report issued by the United States State Department, for instance, states that "in the Greek Cypriot community there were instances of police brutality, including beating and expulsion of Turkish Cypriots by Greek Cypriot police".

Recently, evidence has surfaced indicating that this trend, rather than showing signs of abating, has further increased, reaching scandalous proportions, with the discovery of a torture chamber at police headquarters in the town of Limassol, where detainees are subjected to systematic torture and inhuman treatment. The Greek Cypriot society has been shaken by this disclosure which has been widely reported in the Greek Cypriot press. A report which covers the period between 1990 and 1993, prepared by a special committee formed by a decision of the Greek Cypriot Council of Ministers, is said to describe the treatment of detainees as being reminiscent of "the Inquisition of the Middle Ages".

Meanwhile, the southern Cyprus-based non-governmental organization "International Association for The Protection of Human Rights in Cyprus" has commented that the contents of the said report resembled the methods of torture in a "police State". The Greek Cypriot daily Cyprus Mail of 4 November 1995, under the headline "Torture Chamber: Limassol Police Brutally Beat Suspects Senseless", reports, with reference to the Limassol central police station, that "in this building is an office where Limassol police strung hooded suspects upside down from the ceiling. In the torture chamber, men were beaten to a pulp, had electric shocks applied to their genitals and were hit repeatedly on the soles of their feet".

Confronted with these dramatic disclosures, the Greek Cypriot administration has had to officially acknowledge the practice of systematic torture in southern Cyprus, as was widely reported in the Greek Cypriot press.

The Greek Cypriot police, which treats its own citizens in the manner described above, has been treating the handful of Turkish Cypriots remaining in the south in no less abhorrent a manner. A case in point is the illegal detention, torture and forcible expulsion of 22 Turkish Cypriots living in the south during April 1994, as has been noted in the above-mentioned United States State Department report and in the report of the United Nations Secretary-General dated 7 June 1994 (S/1994/680), which stated that "... CIVPOL has concluded that prima facie there is adequate material to support the plausibility of the allegations raised" concerning these unfortunate Turkish Cypriots (para. 39).

In a more recent glaring case of torture, on the evening of 7 October 1995, a Turkish Cypriot, Erkan Eğmez, was forcefully abducted by the Greek Cypriot police, while working in his fields in the United Nations-controlled buffer zone, in the vicinity of Akincilar village in northern Cyprus, and was subsequently tortured. The Turkish Cypriot side protested the matter to the

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United Nations Peace-keeping Force in Cyprus (UNFICYP) and asked that Mr. Eğmez be returned to the Turkish Cypriot side without delay. Despite Turkish Cypriot initiatives to that end, for quite some time the Greek Cypriot side did not even allow any access to the victim.

After representations at the highest level, on 25 October a Turkish Cypriot doctor, Mr. Kaya Bekiroğlu, accompanied by UNFICYP Chief Humanitarian Officer, Lt. Col. Teroso, was allowed to visit Mr. Eğmez at the Greek Cypriot General Prison in southern Cyprus. Upon his examination of the victim, Dr. Bekiroğlu conclusively reported that he had been subjected to severe torture. He verified that there were scars, bruises and swelling on various parts of Mr. Eğmez's body resulting from clubbing, beating and being subjected to incisory devices. Efforts to have the torture victim returned to the Turkish Cypriot side through UNFICYP have so far failed.

It will be seen from the above that the Greek Cypriot side's claims of respect for the rule of law is empty rhetoric. Its brazen disrespect for all norms of legality, constitutionality and human rights is as old as the origins of the Cyprus conflict in the early 1960s when the Greek Cypriots attacked and destroyed 103 Turkish Cypriot villages across the island, and forced one fourth of the Turkish Cypriot population out of their homes and properties. Had the Greek Cypriots shown any respect for the rule of law or human rights in Cyprus, they would not have perpetrated this violence, or evicted the Turkish Cypriot partners of the bicommunal Republic from the entire state mechanism back then, thus destroying the binational Republic and setting off the events that followed. They would not have made life a living hell for the Turkish Cypriots in the ensuing 11 years, forcing them into concentration camp-like enclaves covering a mere 3 per cent of the then Republic's territory.

The Greek coup d'état of 15 July 1974 had added illegality upon illegality, removing all pretence that Cyprus was still an independent country, and not an "outpost of Hellenism" in the eastern Mediterranean. It was under these conditions that Turkey was forced to intervene, under the Treaty of Guarantee of 1960, thereby putting an end to this catastrophic situation.

Trying to shift the blame onto others for the consequences of events which they have caused themselves has become a characteristic trait of the Greek Cypriot side. It must be realized, however, that this attitude is totally contrary to any notion of confidence-building between the two communities and the finding of a just and lasting solution in the island.

I would be grateful if this letter could be circulated as a document of the General Assembly under agenda items 106 and 108.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus